

*Kit Kh.I.,
Ph.D. student,
Lviv National University named after Ivan Franko*

PRE-TRIAL COURT HEARING AS A PREPARATORY STAGE PROCEEDING: GENERAL CHARACTERISTICS

Preparatory proceedings in the administrative process is one of the most important stages that aims to take measures for comprehensive, objective consideration and resolution of the case in one hearing within a reasonable time and determine the possibility of settlement before trial.

Taking in the consideration the breadth of the tasks, the phase of preparatory proceedings is divided into two stages: preparing the case for trial and pre-trial hearing. Pre-trial hearing has a special purpose, which is to clarify the possible settlement of the dispute before the trial.

As with any stage within a phase, pre-trial hearing begins and ends by making the act. Pre-trial hearing begins with the decision on appointment the pre-trial hearing and ends with ruling on the appointment of a case to the trial.

Preliminary hearing may be conducted not in each administrative case, but only in cases where the judge considers it as appropriate.

One of the major reasons for the appointment of the pre-trial hearing is to

identify possibilities to settle the dispute at the preparatory stage of the proceedings.

Pre-trial hearing is that phase of the preparatory proceedings at which, as a rule, the parties first clarify the legal position of each other. This could encourage a settlement of the dispute before the trial.

Considering this, if pre-trial hearing is appointed, presence of the parties should be considered by the court required. Pre-trial hearing appointed by the court if there are grounds for it and has specifically established aim, achievement of which is impossible without the participation of the parties. Therefore, if the court has appointed a pre-trial hearing, participation of the parties is required.

It is important that participants of the administrative case understand the objectives of pre-trial hearing and its importance for the realization of their procedural rights. Because a further proceedings of administrative case will depend on effectiveness of the pre-trial hearing.